Remarks

In the present response, claims 1-2 and 12-24 are presented for examination.

I. Claim Informalities

Applicants thank the Examiner for noticing informalities regarding previous amendments to claims 1, 13, and 14. These claims are amended to correct grammatical errors and errors with regard to improperly presenting claim amendments.

II. Claim Rejections; 35 USC § 103(a)

Claims 1-2, 4-15, and 17-25 are rejected under 35 USC § 103(a) as being unpatentable over USPN 6,856,003 (Verma) in view of "CVS II: Parallelizing Software Development" (Berliner). Claim 16 is rejected under 35 USC § 103(a) as being unpatentable over Verma in view of "On optimistic methods for concurrency control" (Kung). These rejections are traversed.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. For at least the following reasons, Applicants assert that the rejections do not satisfy these criteria.

Each of the independent claims recites one or more elements not taught or suggested in Verma in view of Berliner. Some examples are provided below.

As one example, claim 1 recites duplicating a filesystem within a pseudo-filesystem. The Examiner admits that Verma does not teach this element. Applicants agree with this admission. The Examiner, however, attempts to cure this deficiency with Berliner. Applicants respectfully disagree.

Berliner teaches a program (named "cvs") that enables multiple software developers to modify different modules of code for a software program without having such modifications cause conflicts. In other words, cvs enables "concurrent editing of source files among multiple software developers" (see section 2, paragraph 1, lines 5-6).

Nowhere does Berliner teach or even suggest duplicating a filesystem within a pseudo-filesystem. Berliner does discuss mapping locations of software code, but this teaching in Berliner has nothing whatsoever to do with duplicating a filesystem.

Applicants acknowledge that claims must be given their broadest interpretation during patent examination. However, this interpretation must be a "**reasonable interpretation consistent with the specification**" (see MPEP 2111; emphasis added). Applicants' specification repeatedly uses the term "filesystem" in a manner consistent with the plain meaning of this term. It is not reasonable to interpret portions of program code in Berliner as a "filesystem." Berliner is not concerned with filesystems.

For at least these reasons, claims 1, 19, 21, and 23 and their respective dependent claims are allowable over Verma in view of Berliner.

As another example, claim 12 recites performing a text-based command to modify a file in a pseudo-file system and then updating a filesystem to include modifications performed to the file in the pseudo-filesystem. Verma in view of Berliner do not teach or suggest this element.

Verma is directed to a transactional file system wherein multiple file system operations are performed as a transaction. Nowhere does Verma teach or even suggest two filesystems, namely a first filesystem and then a pseudo-filesystem wherein a file modified in the pseudo-file system is updated to the filesystem. Again, Verma teaches a single filesystem wherein plural operations are performed as part of a single user-level transaction.

Berliner teaches a program (named "cvs") that enables multiple software developers to modify different modules of code for a software program without having such modifications cause conflicts. In other words, cvs enables "concurrent editing of source files among multiple software developers" (see section 2, paragraph 1, lines 5-6). Nowhere does Berliner teach or even suggest two filesystems, namely a first filesystem and then a pseudo-filesystem wherein a file modified in the pseudo-file system is updated to the filesystem. Again, Berliner is directed modifying modules in a computer program.

For at least these reasons, claims 12, 20, 22, and 24 and their respective dependent claims are allowable over Verma in view of Berliner.

CONCLUSION

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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